United Nations A/62/651-S/2008/27

General Assembly
Security Council

Distr.: General
18 January 2008

Original: English

General Assembly
Sixty-second session
Agenda items 16 and 20

Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Security Council
Sixty-third year

Letter dated 14 January 2008 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

On 10 December 2007 the Permanent Mission of the Republic of Armenia circulated a letter opposing the draft resolution entitled "Protracted conflicts in the GUAM area and their implications for international peace, security and development". In this regard we would like to draw your attention to the following.

Armenia considers the draft as a step irrelevant to the ongoing peace negotiations. Just on the contrary, the draft resolution proposed by GUAM by calling on the settlement of conflicts and restoration of peace is targeted to support the international mediation efforts.

As for the allegation of Armenia of transferring the conflicts from the OSCE to the United Nations, we would like to underline that the GUAM States are neither offering nor willing to transmit the conflicts, lasting for more than 10 years within their territories, from one organization to another. The goal of the GUAM States is just to mobilize the support of the international community to the settlement of the protracted conflicts.

Irregardless of the fact that whether this is the United Nations or OSCE is involved to the settlement of the conflicts in the territories of the GUAM States, both of them act on and proceed from the legal basis established by the United Nations, including resolutions adopted by the Security Council related to the conflicts.

The matter is not to relocate the settlement of conflicts to the United Nations. The purposes and principles of the United Nations, envisaged by the Charter and resolutions of the United Nations, is enough ground to accept the intention of GUAM as legitimate one and completely relevant to the ongoing talks. The

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Armenian allegation that United Nations will undermine the peace negotiations derives from the exceptional and non-constructive attitude of Armenia to the United Nations.

As far as the Armenian contention not to put all conflicts into the same basket is concerned we would like to state that the ongoing conflicts in the GUAM States, three out of four of which based on territorial separatism, has similarities as they have distinctions. The conflict in and around the Nagorno-Karabakh region of Azerbaijan is direct consequence of the claims of Armenia to that region, which resulted in the occupation of the Nagorno-Karabakh and adjacent regions, as well as expulsion of local Azerbaijani population. The main issue is the jointly elaborated principal position of the GUAM States, which establishes the basis of the draft resolution, must be taken into consideration.

All these conflicts are dealt with separately and each has its own format. GUAM States do not intend to confuse or change current formats of the settlement process of these conflicts and processes of their settlement. But this approach to the resolution of the conflicts is based on the same principles, which in their turn derived from the international law.

As for the allegation of Armenia that the draft resolution is contrary to the elements, subject of the ongoing discussions, it must be noted that the issue here is about obtaining support of the international community for the approaches, constituting the basis for the settlement of the conflicts. GUAM States are not intending to intervene to the settlement framework of any protracted conflict.

Furthermore, Armenia asserts that, the settlement of the Nagorno-Karabakh conflict is close and there are only a few issues that remain unsolved. The concern of Armenia (conducting the negotiations on the basis of fait accompli) is not surprising, as there is a possibility of obtaining the support of the international community for the solution of the conflicts on the basis of principles and norms of international law. Blaming everyone except himself and conducting peace talks proceeding from the fact of occupation, and frightened of being covered by the international law, Armenia must confess that the reason of infringement of the peace talks is not the joint position of GUAM States built on international law, but the occupation of territories of sovereign Azerbaijan.

Finally, we would like to draw your attention to the phrase "so-called GUAM area" in the letter. As you are well aware, GUAM is an organization with full international legal subjectivity, including international membership, scope and legal nature. In this case, "GUAM area" in the resolutions refers to the territories of the member States, which Armenia is not willing to accept.

I should be grateful if the present letter were distributed as a document of the General Assembly, under agenda items 16 and 20, and of the Security Council.

(*Signed*) Agshin **Mehdiyev**
Permanent Representative